



Patent
Attorney's Docket No. 007198-353

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)
Kwok On LAI et al.) Group Art Unit: 1647
Application No.: 09/157,984) Examiner: R. Hayes
Filed: September 22, 1998)
For: CLONING OF A NOVEL)
NEUROTROPHIN NT-7 FROM)
CARP)

DECLARATION OF KWOK ON LAI UNDER 3 C.F.R § 1.132

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

I, Kwok on LAI, declare and state that:

1. I am a citizen of Hong Kong and reside at 218, Johnston Road, 10/F, Wan Chai, Hong Kong.
2. I am a co-inventor with Nancy Yuk-Yu IP of the subject matter claimed in the above-referenced application, which is assigned to The Hong Kong University of Science and Technology located in Clear Water Bay, Kowloon, Hong Kong.
3. I am a Research Assistant at The Hong Kong University of Science and Technology and have been a Research Assistant at the university since September, 1995.

4. I have reviewed the most recent Office Action issued by Examiner Hayes. Based thereon, it is my understanding that Examiner Hayes has rejected claims 1, 3 and 4 of the present invention under 35 U.S.C. § 102(a) as anticipated by the publication of Kwok On LAI *et al.*, Molecular and Cellular Neuroscience 11: 64-76, published May 1998.

5. The authors of this publication are Kwok On Lai, Wing-Yu Fu, Fanny C.F. Ip, and Nancy Y. Ip.

6. I believe that Wing-Yu Fu and Fanny C.F. Ip, who are coauthors of the above-cited publication, were not involved in the conception of the present invention, and thus were properly not named inventors in the present application.

7. Wing-Yu Fu is employed at The University in the capacity of a postgraduate student. Wing-Yu Fu was only involved in the dissection of ganglia from adult carp as described in the paper on page 73. This work was performed by Wing-Yu Fu at the behest of and under the direction of Professor Nancy Ip. The work performed by Wing-Yu Fu did not contribute to the conception of the invention.

8. Fanny C.F. Ip is employed at The University in the capacity of a Research Assistant. Fanny C. F. Ip only performed the Northern blot experiments depicted in Figure 4 of the paper. This work was performed by Fanny C. F. Ip at the behest of and under the direction of Professor Nancy Ip. The work performed by Fanny C.F. Ip did not contribute to the conception of the invention.

I further declare that all statements made of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

19 MAR 2001

Date



Kwok On LAI